

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JEFFERY GOODSON

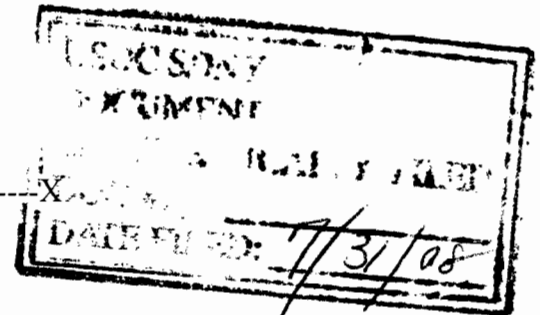
Plaintiff,

- against -

NEW YORK CITY, DEPARTMENT OF CORRECTION;  
ROMAN-DAVID TROJANOWSKI, SOCIAL WORKER  
COLLEEN KIERNAN, M.A. ASSIST MENTAL HEALTH  
MANAGER

KALU N. AGWU, M.D. PSYCHIATRY  
SALOME L. OTT PH.D. CLINICAL SUPERVISOR  
S. RASHEED, M.D., PSYCHIATRY  
RICHELLE WILLIAMS, M.A.  
A.K.M. QUYYUM M.D. PSYCHIATRY  
JANET A. SENDAR, PSY. D. CLINICAL SUPERVISOR  
BIMALENDU GANGULY, M.D.  
AZMAT HASAN, M.D.  
DAVID VIERA, RPA-C  
PETER HERZ, M.D.  
ANUMA ULU, M.D.  
LAALI A. ALI, M.D.  
MATTHEW BARNES, M.D.  
BABATONDE FAGBAMIYE, M.D.

Defendants.



08 CV 1130 (SAS)

**SCHEDULING ORDER**

SHIRA A. SCHEINDLIN, U.S.D.J.:

WHEREAS, the Court issued an Order for a Conference in accordance with Fed. R. Civ. P. 16(b) on July 31, 2008 (the "Order"); and

WHEREAS, the Order requires that the parties jointly prepare and sign a proposed scheduling order containing certain information,

NOW, THEREFORE, the parties hereby submit the following information as required by the Order.

1. The date of the conference and the appearances for the parties:

July 31, 2008

Austa S. Devlin, Esq.

Heidell, Pittoni, Murphy & Bach

Attorneys for Defendants COLLEEN KIERNAN, SALOME OTT, PH.D., RICHELLE WILLIAMS, AKM QUYYUM, M.D., JANET SENDAR, BIMALENDU GANGULY, M.D., AZMAT HASAN, M.D., DAVID VIERA, PETER HERZ, M.D., ANUMA ULU, M.D., LAALI A. ALI, M.D.

2. A concise statement of the issues as they then appear:

Plaintiff alleges Civil Rights violations of USC Section 1983, in the rendering of medical care to him at Rikers Island jail. Specifically, he alleges failure to treat his nicotine habit and provide him with a "nicotine patch." Plaintiff also alleges that he was improperly medicated with Seroquel without being advised of the effects or side effects of said medication. Plaintiff also makes other vague complaints which defendant cannot characterize.

Defendants seek leave to move for judgment on the pleadings pursuant to Rule 12C, on the grounds that the Complaint fails to state a claim upon which relief may be granted pursuant to Section 1983.

3. A schedule including:

- a. the names of persons to be deposed and a schedule of planned depositions;

Defendants intend to depose plaintiff at a date to be determined, once contact is made with plaintiff.

- b. a schedule for the production of documents;

Defendants served plaintiff, by mail, a copy of the Correctional Health Services medical chart on July 31, 2008. Upon plaintiff furnishing duly executed original authorizations permitting defendants to obtain all pertinent medical records for his physicians, therapists, hospitals, clinics, drug and/or alcohol treatment facilities, if any, for 5 years prior to intake at Rikers Island on May 13, 2006, and to present, including medical records from all correctional facilities from such date to present, defendants will make all efforts to obtain such records and will

provide plaintiff with copies of same. Such a process is expected to be completed within 90 days of plaintiff providing such authorizations.

c. dates by which

- (i) each expert's report will be supplied to the adverse side; and

*The parties* *within 30 days of the*  
~~Defendants' expert report will be provided 30 days after~~  
~~plaintiff's expert reports are provided to defendants.~~

- (ii) each expert's deposition will be completed;

~~Plaintiff's expert(s) to be deposed within 60 days of~~  
~~plaintiff furnishing expert report(s). Defendants'~~  
~~expert(s) to be deposed 60 days thereafter.~~

d. time when discovery is to be completed;

May 1, 2009

e. the date by which plaintiff will supply its pre-trial order matters to defendant;

f. the date by which the parties will submit a pre-trial order in a form conforming with the Court's instructions together with trial briefs and either (1) proposed findings of fact and conclusions of law for a non-jury trial, or (2) proposed voir dire questions and proposed jury instructions, for a jury trial; and

Defendant will seek permission to move for summary judgment at the end of discovery. ~~The Pre-Trial Order will be prepared and submitted thereafter.~~ *Defendant proposed*

g. a space for the date for a final pre-trial conference pursuant to Fed. R. Civ. P. 16(d), to be filled in by the Court at the conference.

*March 16 at 4:30*

*pretrial order due 30 days after*  
*it comes on a summary judgment motion*  
*of TV line 30 days later*

4. A statement of any limitations to be placed on discovery, including any protective or confidentiality orders;

Defendants are unaware at this time of any protective orders or confidentiality orders needed.

5. A statement of those discovery issues, if any, on which counsel, after a good faith effort, were unable to reach an agreement;

There are no discovery issues at this time as the parties have not yet conferred concerning discovery.

6. Anticipated fields of expert testimony, if any;

Defendants anticipate possible experts in internal medicine or psychiatry.

7. Anticipated length of trial and whether to court or jury;

Defendants will seek permission to move for summary judgment. If this matter were to go to trial, the trial would be expected to take approximately 5 to 7 days before a jury.

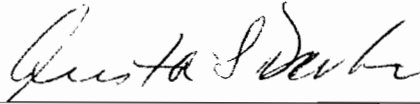
8. A statement that the Scheduling Order may be altered or amended only on a showing of good cause not foreseeable at the time of the conference when justice so requires;

Defendants agree that the Scheduling Order may be altered or amended only on a showing of good cause not foreseeable at the time of the conference when justice so requires.

9. Names, addresses, phone number and signatures of counsel.

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Mr. Jeffery Goodson  
Plaintiff Pro Se  
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Mt. McGregor Correctional Facility  
1000 Mt. McGregor Road, Box 2071  
Wilton, New York 12381  
Phone: (518) 587-3960  
Attention: Counselor Mr. Aiken, Ext. 4317



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Heidell, Pittoni, Murphy & Bach

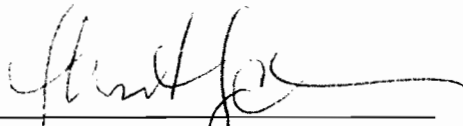
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SO ORDERED:



SHIRA A. SCHEINDLIN, U.S.D.J.

7/31/08